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# Kentucky

*Help America Vote Act  
(HAVA) Complaint  
Process Guide*

*Provided by*

VOTER  
REFERENCE   
FOUNDATION

# State Guide to HAVA & Election Complaint Process

This is a guide to your state's laws relating to the Help America Vote Act (HAVA) and other election related complaints.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

This guide was last updated on 03/06/2024.

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# **What is the Help America Vote Act (HAVA)?**

[Link to HAVA Statute](#)

[Link to Election Assistance Commission](#)

According to the EAC.gov website:

The Help America Vote Act (HAVA) of 2002 was passed by the United States Congress to make sweeping reforms to the nation's voting process. HAVA addresses improvements to voting systems and voter access that were identified following the 2000 election. HAVA mandates that EAC test and certify voting equipment, maintain the National Voter Registration form and administer a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections.

HAVA creates new mandatory minimum standards for states to follow in several key areas of election administration. The law provides funding to help states meet these new standards, replace voting systems and improve election administration. HAVA also established the Election Assistance Commission (EAC) to assist the states regarding HAVA compliance and to distribute HAVA funds to the states. EAC is also charged with creating voting system guidelines and operating the federal government's first voting system certification program. EAC is also responsible for maintaining the National Voter Registration form, conducting research, and administering a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections. HAVA requires that the states implement the following new programs and procedures:

- Provisional Voting
- Voting Information
- Updated and Upgraded Voting Equipment
- Statewide Voter Registration Databases
- Voter Identification Procedures
- Administrative Complaint Procedures

# How do I file a HAVA complaint?

[Link to HAVA Complaint Process](#)

[Link to Form](#)

## [31 KAR 6:010. State-based administrative complaint procedure](#)

### Section 3. Complaint Process

- (1) Any person who believes there has been a violation of any provision of Title III by any election official may file a written complaint with the executive director of the board.
- (2) All complaints shall:
  - (a) Be limited to violations of the requirements placed upon the states by Title III, which are limited to claims for violations of the following:
    1. Standards for voting systems;
    2. Requirements for provisional voting and voting information; and
    3. Requirements for computerized statewide voter registration lists and for voters who register by mail.
  - (b) Be submitted in writing on the Complaint and Affidavit for Violation of Title III of the Help America Vote Act of 2002, and signed by the complainant under oath or affirmation before an officer authorized to administer oaths.

# How do I file a non-HAVA election complaint?

[Link to Voter Rights](#)

KRS 15.243 gives the Attorney General jurisdiction to investigate and enforce election law violations by civil and criminal means.

If you believe that your right to vote has been violated, please contact any of the following:

- Precinct Election Officers
- County Clerk/Board of Elections
- State Board of Elections (502)573-7100
- Attorney General's Election Fraud Hotline (800)328-8683

# Who can I contact regarding an election related complaint?

<b>Kentucky State Board of Elections</b>	
<b>Physical Address:</b>	140 Walnut Street Frankfort, KY 40601-3240
<b>Mailing Address:</b>	Commonwealth of Kentucky State Board of Elections 140 Walnut Street Frankfort, KY 40601-3240
<b>Phone Number:</b>	502-573-7100
<b>Fax Number:</b>	502-573-4369
<b>Email Webform:</b>	<a href="https://www.sos.ky.gov/elections/Pages/Elections-Contact-Form.aspx">https://www.sos.ky.gov/elections/Pages/Elections-Contact-Form.aspx</a>
<b>Website:</b>	<a href="https://elect.ky.gov/About-Us/Pages/Contact-Us.aspx">https://elect.ky.gov/About-Us/Pages/Contact-Us.aspx</a>
<b>County Election Boards:</b>	<a href="https://elect.ky.gov/About-Us/Pages/County-Boards-of-Elections.aspx">https://elect.ky.gov/About-Us/Pages/County-Boards-of-Elections.aspx</a>

<b>Office of the Attorney General</b>	
<b>Mailing Address:</b>	Office of the Attorney General 700 Capital Avenue, Suite 118 Frankfort, KY 40601-3449
<b>Phone Number:</b>	502-696-5300 (main switchboard) 800-328-8683 (election law violations)
<b>Fax Number:</b>	502-564-2894
<b>Email Webform:</b>	<a href="https://www.ag.ky.gov/Contact-Us/Pages/default.aspx">https://www.ag.ky.gov/Contact-Us/Pages/default.aspx</a>